GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - B.C Welfare Department – Disciplinary proceedings initiated against Sri M.Thoudu Babu, then Superintendent (retired), Vizianagaram District - Written Statement of Defence received - Inquiry conducted – Imposition of Penalty of withholding of 5% pension permanently, under Rule 9 of A.P. Revised Pension Rules, 1980 - Orders - Issued.

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BACKWARD CLASSES WELFARE (D) DEPARTMENT

G.O.Rt.No.84 **Dated:27 -06-2024**

Read the following:

1. Charge Memo.No.A/3906/2015, Dated:17.03.2020 of the Director of BC Welfare, A.P., Vijayawada.
2. WSD of Sri M.Thoudu Babu, Superintendent (retired), dt.20.03.2020.
3. Memo.No.A/3906/2015, Dated:06.04.2022 of the Director of BC Welfare, A.P., Vijayawada.
4. Procgs.Rc.No.A/3906/2015, Dated:06.04.2022 of the Director of BC Welfare, A.P., Vijayawada.
5. Lr.No.A/3906/2015, Dated:20.04.2022 of the Enquiry Officer/Joint Director, O/o the Director of BC Welfare, A.P., Vijayawada.
6. Memo.No.A/3906/2015, Dated:03.05.2022 of the Director of BC Welfare, A.P., Vijayawada.
7. Explanation of Sri M.Thoudu Babu, Superintendent (retired), dt.06.05.2022.
8. From the Director of BC Welfare, A.P., Lr Rc No.A/3906/2015, dt.08.06.2022.
9. Memo No. BCW01-GEN0APCB(MISC)/5/2021-D, Dated:17/11/2022.
10. Representation of Sri M.Thoudu Babu, Superintendent (retired), dt.30.11.2022.
11. Govt. Lr No.BCW01-GEN0APCB(MISC)/5/2021-D, dated:02/01/2023.
12. From the Secretary, APPSC, Lr.No.GAD03-APPS0DCC/8/2023-DC SEC-APPSC(Computer No.1961005), dt.30.01.2023.
13. Govt. Memo No.BCW01-GEN0APCB(MISC)/5/2021-D, dated:31.01.2024.
14. From the Director of BC Welfare, Lr.Rc.No.A/3906/2015, dt.21.03.2024 along with Rep. dt.12.03.2024 of Sri M.Thoudu Babu, Superintendent (retired).
15. Rep. of Sri M.Thoudu Babu, Superintendent (retired), dt.21.03.2024.
16. Memo No.BCW01-GEN0APCB(MISC)/5/2021-D, dated:19/04/2024.
17. From the Director of BC Welfare, Lr.Rc.No.A/3906/ 2015, dt.06.06.2024.

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ORDER:-

In the reference 1st read above, article of charges were framed against Sri M.Thoudu Babu, Superintendent(now retired) for willful inordinate delay in circulating the file pertains to compassionate appointment of Smt.G.Lakshmi as cook in BC Welfare Hostel, and directed him to submit his written statement of defense. In reply, the Charged Officer has submitted his written statement of defense denying the charge framed against him. Since the explanation of the Charged Officer has not been satisfied, the Director of BC Welfare, A.P., Vijayawada, vide reference 3rd read above has appointed the Joint Director, O/o the Director of BC Welfare, A.P., as inquiring authority to inquire into the charges framed against the Charged Officer .

(P.T.O)

2. In the reference 5th read above, the Inquiry Officer i.e., Joint Director, O/o the Director of BC Welfare, A.P., after conducting the regular inquiry, has submitted the inquiry report and stated that the charge framed against Sri M.ThouduBabu, Supdt., (Retd.,) is held proved. In the reference 6th read above, the Director of BC Welfare, A.P., has communicated the Inquiry report to the charged officer for offering his reply on the findings of the enquiry report. In reply, the Charged Officer vide reference 7th read above, has disagreed the findings of the Inquiry officer and requested to drop the charges framed against him, on humanitarian grounds; and sanction all retiral benefits with 24% interest from 31.07.2020.

3. Government, after careful examination of the matter with reference to the record of inquiry, have provisionally decided to impose a penalty of "2% cut in pension for a period of (1) year" for the proved charge, on Sri M.ThouduBabu, Supdt. (now Retd.), under Rule 9 of A.P Revised Pension Rules, 1980. Accordingly, a Show Cause Notice was issued to the retired officer vide reference 9th read above. In reply, the charged officer has submitted his explanation to the Show Cause Notice vide reference 10th read above, duly denying the punishment proposed by the Government.

4. In the ref.11th read above, Government have sent a proposal to the APPSC for its advice/concurrence on the above proposed punishment against the Charged officer. In turn, the APPSC, vide reference 12th read above, has opined that "the charges have been proved that the delinquent officer deliberately delayed the compassionate appointment letter of a ST Woman candidate who had lost her husband despite the District Collector's specific instructions. Further he behaved in a rude and reckless manner with the candidate who was seeking compassionate appointment. Therefore not only the misconduct, misbehavior and bad attitude displayed by the delinquent officer, but also a willful defiant conduct in disobeying the instruction of the District Collector is established. It is essential that the punishment proposed should be commensurate to the delinquency. Therefore proposed a 5% cut permanently".

5. Government, after careful examination of the entire matter, have decided to enhance the punishment of "withholding of 5% pension permanently" against Sri M.ThouduBabu, Supdt. (now Retd.), under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, a show cause notice was issued to the charged officer for his explanation on the enhanced punishment of "withholding of 5% pension permanently", vide ref.13th read above. In reply, the charged officer in the Ref.14th read above, while denying the findings of the Inquiry authority, has requested to examine his representation and to conduct re-enquiry in to the matter.

6. In reference 16th read above, while enclosing the above representation along with its enclosures received from the C.O., the Director of BC Welfare, AP, was requested to examine the representation/explanation and furnish specific remarks on each point wise to Government for taking further course of action in the matter. In reply, the Director of BC Welfare, AP, vide reference 17th read above, has furnished his specific remarks for taking further necessary action.

7. The Government, after careful examination of the entire matter with reference to the specific remarks submitted by the Director of BC Welfare, have decided to impose a punishment of "withholding of 5% pension permanently" against Sri M.ThouduBabu, Supdt., (Retd.,), under Rule 9 of A.P. Revised Pension Rules, 1980.

8. Accordingly, Government hereby order to impose a punishment of "withholding of 5% pension permanently" against Sri M.ThouduBabu, Supdt., (Retd.,), under Rule 9 of A.P. Revised Pension Rules, 1980.

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9. The Director of BC Welfare shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M.ThouduBabu, Supdt., (Retd.,) "through" the Director of BC Welfare, A.P., Vijayawada.
The Director of BC Welfare, A.P., Vijayawada.

Copy to:
The Secretary, APPSC, Opp: Indira Gandhi Municipal Complex, Vijayawada.
Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER